

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

WSOU INVESTMENTS LLC,

Plaintiff,

v.

DELL TECHNOLOGIES INC., DELL
INC., EMC CORPORATION,

Defendants.

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CIVIL NO. W-20-CV-00473-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Derek T. Gilliland. ECF No. 289. The report recommends Plaintiff's Motion to Dismiss Under Rule 41(a)(2) (ECF No. 269) be **GRANTED-IN-PART** and **DENIED-IN-PART** and that the case be **DISMISSED with PREJUDICE**, without deciding whether to award attorneys' fees. The report and recommendation was filed on January 4, 2024.

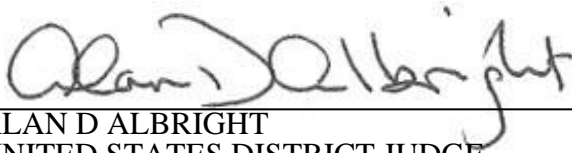
A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."). The Court has reviewed the report and recommendation and finds no clear error.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Gilliland (ECF No. 289) is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Dismiss Under Rule 41(a)(2) (ECF No. 269) is **GRANTED-IN-PART** and **DENIED-IN-PART** and that the case be **DISMISSED with PREJUDICE**, without deciding whether to award attorneys' fees.

SIGNED this 25th day of April, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE